

# COMMITTEE AMENDMENT FORM

DATE: 03/28/ 07

COMMITTEE      ZONING      PAGE NUM. (S)

ORDINANCE I. D. #07-O-0150      SECTION (S)

RESOLUTION I. D. #07-R-      PARA.

AMENDS THE LEGISLATION BY ADDING ONE (1) CONDITION.

AMENDMENT DONE BY COUNCIL STAFF 3/28/07

City Council  
Atlanta, Georgia

**07-O-0150**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-140**  
Date Filed: 12-12-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1101 Donnelly Avenue, S.W.** be changed from the I-1 (Light Industrial) District to the MR4A-C (Multifamily Residential-Conditional) District, to wit:

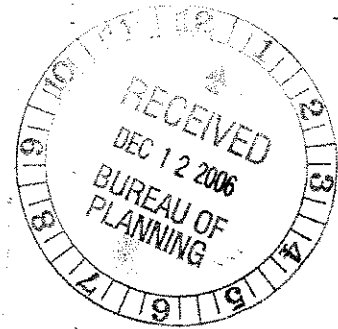
ALL THAT TRACT or parcel of land lying and being in Land Lots 118 and 119 of the 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

2-06-140



All that tract or parcel of land lying and being in Land Lots 118 and 119 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a ~~3/4"~~ rebar located on the Northeasterly right-of-way of Donnelly Avenue (50' R/W), said point being 75 feet Southeastwardly at right angles from a point in the center line of Lawton Street; thence running North 33 degrees 17 minutes East along a line 75 feet Southeastwardly from and parallel to said center line of Lawton Street a distance of 289 feet to a point; thence running North 33 degrees 17 minutes East along said line a distance of 33.00 feet to a 1/2" rebar iron pin placed; thence running South 55 degrees 48 minutes East a distance of 322.00 feet to a 1/2" rebar iron pin placed; thence running South 33 degrees 17 minutes West a distance of 33.00 feet to a 1/2" rebar iron pin placed; thence running South 55 degrees 48 minutes East a distance of 248.00 feet to a 1/2" rebar iron pin placed; thence running South 51 degrees 39 minutes East a distance of 30.07 feet to a 1/2" rebar iron pin placed; thence running South 33 degrees 17 minutes West a distance of 257.00 feet to a 1/2" rebar iron pin found on the Northeasterly right-of-way of Donnelly Avenue; thence running North 55 degrees 47 minutes West along the said right-of-way a distance of 600.00 feet to a 3/8" rebar iron pin found and The True Point of Beginning; said tract containing 4.225 acres (184,023 square feet)

The following easements affect this property; however cannot be depicted on survey:

- 1) Sewer Easement from The Louisville & Nashville Railroad Company to The City of Atlanta, dated 2/14/30, filed 3/24/52, recorded in Deed Book 2729, Page 692, Fulton County, Georgia records.
- 2) Right-of-Way Easement from ALTMO Realty Company to Georgia Power Company, dated 1/17/56, filed 2/28/56, recorded in Deed Book 4553, Page 214, Fulton County, Georgia records.

The first 1/2" rebar was found on the right-of-way of Donnelly Avenue and is shown as a point on the map. The second 1/2" rebar was found on the right-of-way of Donnelly Avenue and is shown as a point on the map. The third 1/2" rebar was found on the right-of-way of Donnelly Avenue and is shown as a point on the map. The fourth 1/2" rebar was found on the right-of-way of Donnelly Avenue and is shown as a point on the map. The fifth 1/2" rebar was found on the right-of-way of Donnelly Avenue and is shown as a point on the map.

This map is not to be used for any other purpose than to show the location of the rebar pins. It is not to be used for any other purpose than to show the location of the rebar pins. It is not to be used for any other purpose than to show the location of the rebar pins.



**Conditions for Z-06-140**  
**1101 Donnelly Avenue, S.W.**

1. Exterior materials to include masonry.

City Council  
Atlanta, Georgia

07-0 -0150

Z-06-140

Date Filed: 12-12-06

AN ORDINANCE  
BY: ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1101 Donnelly Avenue, S.W.** be changed from the I-1 (Light Industrial) District to the MR4A (Multi-family Residential) District, to wit:

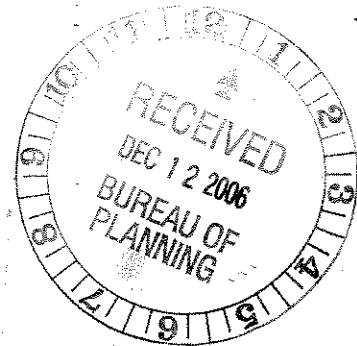
ALL THAT TRACT or parcel of land lying and being in Land Lots 118 and 119, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

2-06-140



All that tract or parcel of land lying and being in Land Lots 118 and 119 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a ~~3/4"~~ rebar located on the Northeasterly right-of-way of Donnelly Avenue (50' R/W), said point being 75 feet Southeastwardly at right angles from a point in the center line of Lawton Street; thence running North 33 degrees 17 minutes East along a line 75 feet Southeastwardly from and parallel to said center line of Lawton Street a distance of 289 feet to a point; thence running North 33 degrees 17 minutes East along said line a distance of 33.00 feet to a 1/2" rebar iron pin placed; thence running South 55 degrees 48 minutes East a distance of 322.00 feet to a 1/2" rebar iron pin placed; thence running South 33 degrees 17 minutes West a distance of 33.00 feet to a 1/2" rebar iron pin placed; thence running South 55 degrees 48 minutes East a distance of 248.00 feet to a 1/2" rebar iron pin placed; thence running South 31 degrees 39 minutes East a distance of 30.07 feet to a 1/2" rebar iron pin placed; thence running South 33 degrees 17 minutes West a distance of 287.00 feet to a 1/2" rebar iron pin found on the Northeasterly right-of-way of Donnelly Avenue; thence running North 55 degrees 47 minutes West along the said right-of-way a distance of 500.00 feet to a 3/8" rebar iron pin found and The True Point of Beginning; said tract containing 4.225 acres (184,023 square feet)

The following easements effect this property; however cannot be depicted on survey:

- 1) Sewer Easement from The Louisville & Nashville Railroad Company to The City of Atlanta, dated 1/14/38, filed 3/24/52, recorded in Deed Book 2729, Page 692, Fulton County, Georgia records.
- 2) Right-of-Way Easement from ALMO Realty Company to Georgia Power Company, dated 1/17/56, filed 2/28/66, recorded in Deed Book 4553, Page 214, Fulton County, Georgia records.

The field data upon which this map or plat is based has a known precision of not less than 1/1000 and an angular error of 1/1000 per angle point and was adjusted using COMP rule.

This map or plat has been calculated for accuracy and is found to be accurate within one foot in 10,000 feet.

